GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:801
ANSWERED ON:18.07.2002
WEAKNESS IN THE LAW RELATING TO DIVORCE
KAMBALAPADU E. KRISHNAMURTHY

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Ministry of Law has studied the weakness in the law relating to divorce and maintenance of deserted, divorced and destitute women;

(b) if so, the amendments proposed to be made in the Hindu Law and other related law to help such women in distress;

(c) the time by when the legislation is proposed to be brought out in this regard; and

(d) the number of destitute women in destitute homes, women homes, old age homes, beggar homes and jails in the country, State-wise.

Answer

MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI)

(a) to (c): Law Commission of India in its 178th Report and the National Commission for Women (NCW) in its Annual Report 1999-2000 have recommended to amend section 19 of the Hindu Marriage Act, 1955 and to make it analogous to section 126 of the Code of Criminal Procedure, 1973 so that a women could file suit for maintenance or relief of any other kind at a place of her residence. This proposal has been circulated to all the State Governments for their comments.

(d): The information is not available with the Union of India, as, the States are concerned with this aspect..